

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DANNELLE JOHNSON,

Plaintiff,

-against-

NEW YORK PRESBYTERIAN HEALTHCARE
SYSTEM, INC.,

Defendant.

Civil Action No. 07-3112

SCHEDULING ORDER

WHEREAS, the Court issued an Order for a Conference in accordance with Fed. R. Civ. P. 16(b) on August 29, 2007 (the "Order"); and

WHEREAS, the Order requires that the parties jointly prepare and sign a proposed scheduling order containing certain information;

NOW, THEREFORE, the parties hereby submit the following information as required by the Order:

- (1) Date of Conference: **September 12, 2007 at 11:30 a.m.**

Appearances:

Adam C. Virant, Esq. (AV5429)

Counsel for Plaintiff

James S. Frank, Esq. (JF 5389)

Clare M. Sproule, Esq. (CS 1589)

Counsel for Defendant

- (2) Plaintiff alleges that she was discriminated against based on her race, which is African-American, and that Defendant created and allowed a racially hostile work environment towards African-Americans. Plaintiff further alleges that after complaining about discrimination Defendant retaliated against her by terminating her employment.

Defendant denies all of Plaintiff's allegations, and contends that Plaintiff was terminated for legitimate non-discriminatory reasons.

(3) Discovery

(a) Plaintiff intends on deposing the following individuals: Naomi Ramdin, Alicia Boniciano, Renata Brill, Denise Lloyd. Plaintiff reserves the right to depose any additional individual who may possess relevant information as discovery proceeds. Defendant intends on deposing Plaintiff within 15-30 days after Plaintiff's document production is complete. Defendant reserves the right to depose any additional individual who may possess relevant information as discovery proceeds.

(b) All documents to be produced by: ~~December 31, 2007.~~ *Oct 31* *9/28 - 10/31*

(c) (i) Plaintiff to provide her expert's report(s) by: None.

Defendant to provide its expert's report(s) (if any) by: ~~March 1, 2008.~~

(ii) Each expert's depositions to be completed by: ~~April 1, 2008.~~

(d) All discovery to be completed by: ~~April 30, 2008.~~ *JAN. 31, 2008*

(e) Plaintiff's pre-trial order must be submitted by: ~~May 30, 2008.~~

(f) Parties must submit their pre-trial order to the Court with trial briefs and proposed voir dire questions and proposed jury instructions by: ~~July 30, 2008.~~

(g) Final pre-trial conference date pursuant to Fed. R. Civ. P. 16(d):

2/12 at 4³⁰

4. Statement of any limitations to be placed on discovery, including any protective or confidentiality orders: Unknown until document requests are served. Defendant reserves the right to require Plaintiff to enter into a confidentiality order to the extent that confidential or

proprietary documents, and/or confidential patient information, is requested, in order to satisfy Defendant's obligations to protect confidential information pursuant to HIPAA.

5. Statement of discovery issues which counsel were unable to reach an agreement:

None.

6. Anticipated fields of expert testimony, if any: None.

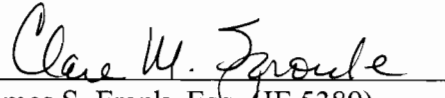
7. Anticipated length of jury trial: 3-4 days.

8. This Scheduling Order may be altered or amended only on a showing of good cause not foreseeable at the time of the conference when justice so requires.



Adam C. Virant (AV5429)
Karpf, Karpf & Virant
140 Broadway
46th Floor
New York, NY 10005
(212) 929-6030

Attorneys for Plaintiff



James S. Frank, Esq. (JF 5389)
Clare M. Sproule (CS 1589)
Epstein Becker & Green, P.C.
250 Park Avenue
New York, NY 10177
(212) 3512-4500

Attorneys for Defendant

SO ORDERED:



SHIRA A. SCHEINDLIN, U.S.D.J.

9/12/07